

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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TRIOMPHE PARTNERS, INC., et al., : Case No. 10 CV 08248 (PKC)

Petitioners, :

v. :

REALOGY CORPORATION, : **SUPPLEMENTAL**
DECLARATION OF
DAVID JACOBY

Respondent. :

X-----X

DAVID JACOBY declares as follows:

1. I am a member of the firm of Schiff Hardin LLP, counsel for respondent Realogy Corporation ("Realogy") in this action. I make this Supplemental Declaration in further opposition to the Petition to Vacate Arbitration Tribunal's Final Award, filed in this matter by Triomphe Partners and two related entities. I am fully familiar with the facts and circumstances related to the Petition. I make this Declaration on the basis of the arbitration transcript, exhibits, post-trial briefs, arbitration award and other documentary materials in the file maintained by my law firm in this case.

2. A true copy of the AAA Commercial Arbitration Rules, retrieved from the organization's website on February 3, 2011, is annexed as Exhibit A to this Declaration. The relevant provisions were unchanged during the arbitration.

3. True and complete copies of the Coldwell Banker International Sub-Franchise Agreement for Greater Europe dated as of November 5, 1999 and the Coldwell Banker

International Sub-Franchise Agreement for Eastern Europe/Scandinavia dated July 24, 2000, the agreements which were the subject of the arbitration Award Petitioners attack, are annexed as Exhibit B to this Declaration.

4. Pursuant to 28 U.S.C. Section 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed at New York, New York on February 4, 2011.

A handwritten signature in black ink, appearing to be 'DJ', is written over a horizontal line.

DAVID JACOBY